

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

REC'D 13 DEC 2005

WIPO

PC

Applicant's or agent's file reference 42325WOP00	FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. PCT/IB2005/050128	International filing date (<i>day/month/year</i>) 12 January 2005	Priority date (<i>day/month/year</i>) 12 January 2004	
International Patent Classification (IPC) or national classification and IPC Int. Cl. E04H 6/04, E04H 15/38 (2006.01)			
Applicant CREATIVE CAR PRODUCTS PTY LTD			

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 3 sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

a. ☐ (*sent to the applicant and to the International Bureau*) a total of sheets, as follows:

☐ sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).

☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

b. ☐ (*sent to the International Bureau only*) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or table related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

☒ Box No. I Basis of the report

☐ Box No. II Priority

☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

☐ Box No. IV Lack of unity of invention

☒ Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

☐ Box No. VI Certain documents cited

☐ Box No. VII Certain defects in the international application

☐ Box No. VIII Certain observations on the international application

Date of submission of the demand 20 October 2005	Date of completion of this report 05 December 2005
Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaaustralia.gov.au Facsimile No. (02) 6285 3929	Authorized Officer S. GHOSH Telephone No. (02) 6283 2163

Box No. I Basis of the report

1. With regard to the **language**, this report is based on:

- ☒ The international application in the language in which it was filed
- ☐ A translation of the international application into _____, which is the language of a
translation furnished for the purposes of:
- ☐ international search (under Rules 12.3(a) and 23.1 (b))
- ☐ publication of the international application (under Rule 12.4(a))
- ☐ international preliminary examination (Rules 55.2(a) and/or 55.3(a))

2. With regard to the **elements** of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

- ☒ the international application as originally filed/furnished
- ☐ the description:
- | | |
|--------|--|
| pages | as originally filed/furnished |
| pages* | received by this Authority on _____ with the letter of |
| pages* | received by this Authority on _____ with the letter of |
- ☐ the claims:
- | | |
|--------|---|
| pages | as originally filed/furnished |
| pages* | as amended (together with any statement) under Article 19 |
| pages* | received by this Authority on _____ with the letter of |
| pages* | received by this Authority on _____ with the letter of |
- ☐ the drawings:
- | | |
|--------|--|
| pages | as originally filed/furnished |
| pages* | received by this Authority on _____ with the letter of |
| pages* | received by this Authority on _____ with the letter of |

☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/figs
- ☐ the sequence listing (*specify*):
- ☐ any table(s) related to the sequence listing (*specify*):

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/figs
- ☐ the sequence listing (*specify*):
- ☐ any table(s) related to the sequence listing (*specify*):

* If item 4 applies, some or all of those sheets may be marked "superseded."

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. Statement**

Novelty (N)	Claims 1-31	YES
	Claims	NO
Inventive step (IS)	Claims 1-31	YES
	Claims	NO
Industrial applicability (IA)	Claims 1-31	YES
	Claims	NO

2. Citations and explanations (Rule 70.7)

The following documents identified in the International Search Report have been considered for the purposes of this report:

D1 - US 3465765

D2 - US 4886083

D3 - AU 55146/90

D4 - DT 2848077

D5 - DE 29818300

D6 - EP 555791

Novelty (N)

Claims 1-31 meet the criteria set forth in PCT Article 33(2) for novelty. The prior art published before the priority date does not disclose hoop members extending diagonally across a base frame. Therefore the subject matter of these claims is new and meets the requirements of Article 33(2) PCT with regard to novelty.

Inventive Step (IS)

Based on the above statement, the subject matter of the claims is not obvious and meets the requirements of Article 33(3) PCT with regard to inventive step.

Industrial Applicability (IA)

The invention defined in the claims is considered to meet the requirements of Industrial Applicability under Article 33(4) of the PCT because it can be made by, or used in, industry.